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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 KEENAN BYRD,

9 Plaintiff,

10 v.

11 OFFICER BONESTEEL et al.,

12 Defendants.

CASE NO. C18-519 RAJ-BAT

**ORDER GRANTING  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS**

13 Plaintiff filed a 42 U.S.C. § 1983 complaint, and submitted an application seeking leave  
14 to proceed with this action *in forma pauperis* (IFP). Dkt. 4. The Court finds plaintiff cannot  
15 afford the filing fee, and **GRANTS** the application to proceed IFP. Dkt.1.

16 (1) Pursuant to 28 U.S.C. § 1915, and plaintiff's approved application to proceed *in*  
17 *forma pauperis*, the agency having custody of the above-named plaintiff is directed to calculate  
18 an initial partial filing fee equal to 20 percent of the greater of either: (a) the average monthly  
19 deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account  
20 for the 6-month period immediately preceding the date of this Order. The initial partial filing fee  
21 should be forwarded to the Clerk of Court as soon as practicable.

22 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having  
23 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the

1 prisoner's preceding month's income credited to the prisoner's account. In the event that the  
2 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect  
3 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.  
4 Please note that this \$10.00 limit does not apply to the initial partial filing fee described above.  
5 Finally, the monthly payments should be collected and forwarded to the Court until the entire  
6 filing fee (\$350.00) for this matter has been paid.

7 (2) The Clerk is directed to send a copy of this Order to plaintiff, to the financial  
8 officer of this Court, and to the agency having custody of plaintiff.

9 (3) The Clerk is directed to file the complaint without the prepayment of fees and  
10 send plaintiff a copy of this Order.

11 DATED this 1st day of May, 2018.

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14 BRIAN A. TSUCHIDA  
United States Magistrate Judge  
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